

# Legal Guide: Harbor Seal Surveyors Point Reyes National Seashore 2011

## **Protection of Resources:**

A primary objective of this monitoring program is to identify sources of disturbance to seals in order to guide management in the protection of seal colonies. Please make every effort not to disturb the seals that you are surveying.

Under direction from the Department of Interior and in order to promote best management practices, the NPS promotes ecosystem management. When conducting field surveys, surveyors should take into account the potential disruptive activities of their actions on all resources both biotic and abiotic. Several rare species of dune plants occur in habitat where harbor seals breed and molt (refer to harbor seal management plan). The western snowy plover, a federally listed threatened species, is regularly observed and breeds at Point Reyes Beach and Drakes Beach. Seabirds also nest and roost in many of the remote coves where harbor seals breed and molt. Dunes and coastal bluffs are subject to erosion, particularly during winter storms, and off trail walking should be done with care.

## **Protection of Yourself:**

*Personal safety should take precedence to any activity.*

Prevent injury from climbing in unsafe areas - Many of the cliffs around Point Reyes are not stable. Many people every year are rescued after falling down cliffs by the NPS. Use well established trails to the survey area. At the survey site you will have to walk off trail but please be very careful along the cliffs for unstable soils.

*Lyme Disease* - this tick-borne disease occurs in around 2% of the ticks that occur at Point Reyes. To minimize your exposure to ticks, pull your socks over your pants and use tick repellent.

*Poison oak* – this plant is widespread throughout Point Reyes. Learn how to identify it and take precautions. TECNU is available for volunteers to use for washing after being in the field.

*West Nile Virus* – This virus is carried by mosquitoes, but it is rare for human illness to occur from it. To avoid insect bites, wear long-sleeved shirts, long pants, socks, and shoes and use insect repellent.

**In Case of Injury:** LEAVE IMMEDIATELY. If the person can move/walk, then every effort should be made to hike out. If the person is seriously injured, call the ranger on duty through dispatch. They are open 8:30am-5:00pm Monday-Friday and 9:30am-6:00pm on weekends at 415-464-5170. If no one answers or it is outside of these hours then call the Marin County sheriff's office at 415-479-2311. Also, please notify Sarah Codde or Sarah Allen so that we can contact Human Resources. Injuries sustained while volunteering at the park are covered under workman's compensation.

**Interactions with the public:** You may be approached during your surveys by visitors to the park. Please identify yourself as a volunteer of the park for the harbor seal survey program. Answer any questions you feel comfortable with. **DO NOT** approach people who have violated any park laws such as disturbing seals or entering a closed area.

**Law Enforcement:** There are only a few law enforcement rangers at Point Reyes and demand on their time is great. To insure that they are aware of where surveyors are in the park, we request that all surveyors tell dispatch when and where they will be working and when they are done. If dispatch is not open, still leave a message on the answering service and let someone know your plans.

If you observe a violation of an “Area Closure” or any unauthorized persons disturbing seals, contact the law enforcement ranger when you return from a survey. In addition, you may observe other violations within the park. It is illegal, for example, to maneuver aircraft below 1000 ft or to collect algae in bulk. In recent years, two men were illegally collecting algae in the tide pools for commercial gain. Please write down any identifying marks, numbers (boat or car), date, time and activity and bring it to the attention of a ranger and dispatch office.

### **Protection of Harbor Seals:**

#### **The Marine Mammal Act:**

In 1972, the Marine Mammal Protection Act (MMPA) was passed, committing the United States to long-term management and research programs to conserve and protect these mammals. The Act placed a moratorium, with a few exceptions, on taking marine mammals or importing their products into the United States.

The Secretary of Commerce has the authority and responsibility for specific marine mammals. Whales and dolphins (Cetacea) and seals and sea lions (Pinnipedia) are the responsibility of NOAA’s National Marine Fisheries Service. Other marine mammals, manatees, polar bears, sea otters, and walrus are the responsibility of the Department of the Interior’s Fish and Wildlife Service.

Marine mammals may be taken for scientific research and public display. In 1981, an amendment was added to the MMPA that allows for various levels of small scale take during commercial fishing and other activities such as oil and gas exploration, as long as the species is not endangered. Additionally, certain Native Americans may take marine mammals for subsistence use and in order to continue their cultural heritage.

The MMPA protects the animals’ normal activities. Anything that interrupts their normal behavior or constitutes harassment is against the law.

The MMPA does not protect habitat, so seal haul-out sites can legally be altered without violating the MMPA, as long as seals are not directly disturbed in the process. An example is if a structure is placed at a haul-out in the absence of the seals, but eventually the structure prevents the seals from hauling out.

#### **MMPA Enforcement Issues:**

As described above, it is prohibited by the MMPA to “take” marine mammals. In this situation, “take” means to harass, hunt, capture, or kill any marine mammal. The term “harassment” means any act of pursuit, torment or annoyance which: (1) has the potential to injure a marine mammal or marine mammal stock in the wild; or (2) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to migration, breathing, nursing, breeding, feeding, or sheltering. Any person who violates any provision of the MMPA may be fined up to \$10,000, and anyone who knowingly does so may be fined up to \$20,000 or imprisoned up to one year.

The National Park Service relies on two additional acts to protect park resources. These are the Organic Act of 1916 and the Natural Resources Protection Act of 1990. Under the later act, a person responsible for injuring a park resource is obligated to provide full restoration for that which was injured.

# Point Reyes National Seashore Safety

## Beaches

The National Seashore offers a diversity of beaches to explore. However, if you plan to spend any time near the shoreline stay aware of the movement of the tides. Consult a tide book before going tidepooling. Always keep an eye on the surf and watch for occasional large waves, called sneaker waves, along Pacific Ocean beaches. Also remember, since fire permits are issued for beach fires, hot coals may exist below the surface if fires have not been extinguished properly. Wearing shoes on beaches is recommended. For more information on [Safety Issues Associated with Beaches](http://www.nps.gov/pore/planyourvisit/beaches.htm), check out our "The Beaches of Point Reyes" page, <http://www.nps.gov/pore/planyourvisit/beaches.htm>.



## Cliffs and Rockfalls

Many of the cliffs and bluffs found within Point Reyes National Seashore are composed of friable rocks and are quite unstable. Rockfalls and slumps occur regularly, so visitors should stay several meters away from the edge of cliff tops and the base of the cliffs. Because of the crumbly nature of the rocks, rock climbing within Point Reyes National Seashore is discouraged.

## Poison Oak and Stinging Nettle

Staying on trails will also help you avoid two plants which can cause annoying skin irritations. Poison oak has three smooth, shiny leaflets and is usually bright green, but often has a red coloration in new shoots and in the dry season. Thoroughly wash any skin that may have come in contact with the plant with cool water and grease-cutting dish soap. Be sure to also wash all clothing before wearing again. Stinging nettle is a tall weedy plant with needle-like projections that inject a chemical into your skin, creating a burning sensation for up to 24 hours. If you are unsure what either of these plants looks like, stop at a visitor center before starting your hike.



## Wildlife

Wildlife can be unpredictable and dangerous. But visitors to Point Reyes National Seashore need not worry much about being harmed by wildlife if they use a bit of common sense.

Always maintain a safe distance of at least 90 meters (300 feet) from large animals such as elk and mountain lions, and at least 23 meters (75 feet) from other wildlife. It is illegal to be within 30 meters (100 feet) of marine mammals. Never position yourself between a bull elk and its harem, a mountain lion and its prey, or an adult and its offspring. Females with young can be especially defensive.



Use binoculars, spotting scopes or long lenses for close views and photographs. Use an animal's behavior as a guide to your actions, and limit the time you spend with wildlife. If an animal alters its behavior due to your presence, you are too close. Allow other visitors a chance to enjoy wildlife. If your actions cause an animal to flee, you have deprived other visitors of a viewing opportunity.

It is illegal to feed wildlife, including squirrels and birds. Feeding wild animals makes them dependent on people, and these animals sometimes end up biting the hands of people who try to feed them. Diseases and/or parasites may also be transmitted from animals to humans.

Do not harass wildlife. Harassment is any human action that causes unusual behavior, or a change of behavior, in an animal. Repeated encounters with people can have negative, long-term impacts on wildlife, including increased levels of stress and the avoidance of essential feeding areas.

### **Mountain Lions**

Mountain lions (also called cougars) live in the park and your paths may cross. Sighting a mountain lion is usually considered a rare treat. Generally, there is no need to fear lions. Ironically, the wild animal that causes more human deaths per year than any other is not the mountain lion, but its primary prey -- deer. [Your Safety in Mountain Lion Habitat](#) and park Visitor Centers have information on how to behave in lion habitat and what to do if you should see one in the backcountry. Please report all mountain lion sightings to a ranger at a Visitor Center.

### **Elk**

Bull elk behave aggressively during their rutting season. Stay on designated trails, where the elk are accustomed to encountering people. If you encounter an elk on the trail, stop and evaluate the situation. Do not approach the elk. Wait for it to proceed on its way. Or you can return to the trailhead. But, as with any potentially dangerous animal, don't completely turn your back on the elk. Keep an eye on it and remain aware of what it is doing.

### **Deer**

Point Reyes has an abundance of deer which are often found feeding on the shoulders of roadways. Automobile collisions with deer occur on an almost daily basis. Most of the roads of Point Reyes are windy and narrow, so slow down, observe speed limits and allow your passengers to enjoy the scenery.







# California Department of Health Services Vector-Borne Disease Section



## COMMON HUMAN-BITING TICKS IN CALIFORNIA



Western  
black-legged tick  
*Ixodes pacificus*



Pacific coast tick  
*Dermacentor  
occidentalis*



American dog tick  
*Dermacentor  
variabilis*

## SOME TICKS CAN TRANSMIT DISEASE

- Lyme disease
- Ehrlichiosis
- Anaplasmosis
- Babesiosis
- Rocky Mountain spotted fever
- Tularemia
- Tick Paralysis

## LOOK FOR THE TICKS!



- Check each other often while in tick habitat
- Inspect children carefully, particularly at the hair line
- Conduct daily full body check (hair line, armpit, back of knees, groin) at home, up to 3 days after returning from tick habitat
- Check pets, use tick repellents on them

## TICK REMOVAL TECHNIQUE

- Use tweezers to grab the tick close to your skin
- Pull the tick firmly, straight out, away from the skin (do not jerk, twist, or burn the tick)
- Wash your hands and the bite site with soap and water after the tick is removed and apply an antiseptic to the bite site
- The sooner a tick is removed, the less likely it is that a person will be infected



# TICKS AND PROTECTION AGAINST TICK BITES

## PERSONAL PROTECTIVE MEASURES

- Avoid tick-infested areas
- Wear light-colored clothes
- Wear a hat, long-sleeved shirt, and long pants
- Tuck shirt into pants, pants into boots or socks
- Remove attached ticks promptly and properly



## TICK REPELLENTS



- Apply DEET repellent (Cutter®, Off®, Repel®, Skintastic®, etc.) to skin not covered by clothing
- Treat clothing with permethrin repellent (Permonone®, Duranon®, etc.) as directed on label.

## IF YOU GET BITTEN BY A TICK

- Remove all ticks promptly!
- If you develop a spreading rash or flu-like symptoms 1-30 days after bite, consult with your physician
- Let your physician know that you were bitten by a tick

## Prevention of tick bites is key to prevention of disease

For more information, contact the  
Vector-Borne Disease Section: 916-552-9730  
<http://www.dhs.ca.gov/ps/dcdc/disb/disbindex.htm>

# West Nile Virus: What You Need To Know

## What Is West Nile Virus?

West Nile virus (WNV) is a potentially serious illness. Experts believe WNV is established as a seasonal epidemic in North America that flares up in the summer and continues into the fall. This fact sheet contains important information that can help you recognize and prevent West Nile virus.

## What Are the Symptoms of WNV?

WNV affects the central nervous system. Symptoms vary.

- **No Symptoms in Most People.** Approximately 80 percent of people who are infected with WNV will not show any symptoms at all.
- **Mild Symptoms in Some People.** Up to 20 percent of the people who become infected will display mild symptoms, including fever, headache, and body aches, nausea, vomiting, and sometimes swollen lymph glands or a skin rash on the chest, stomach and back. Symptoms typically last a few days.
- **Serious Symptoms in a Few People.** About one in 150 people infected with WNV will develop severe illness. The severe symptoms can include high fever, headache, neck stiffness, stupor, disorientation, coma, tremors, convulsions, muscle weakness, vision loss, numbness and paralysis. These symptoms may last several weeks, and neurological effects may be permanent.

## How Does It Spread?

- **Infected Mosquitoes.** Generally, WNV is spread by the bite of an infected mosquito. Mosquitoes are WNV carriers that become infected when they feed on infected birds. Infected mosquitoes can then spread WNV to humans and other animals when they bite.
- **Transfusions, Transplants, and Mother-to-Child.** In a very small number of cases, WNV also has spread through blood transfusions, organ transplants, breastfeeding and even during pregnancy from mother to baby.
- **Not through touching.** WNV is not spread through casual contact such as touching or kissing a person with the virus.

## How Soon Do Infected People Get Sick?

People typically develop symptoms between 3 and 14 days after they are bitten by the infected mosquito.

## How Is WNV Infection Treated?

There is no specific treatment for WNV infection. In cases with mild symptoms, people experience symptoms such as fever and aches that pass on their own. In more severe cases, people usually need to go to the hospital where they can receive supportive treatment including intravenous fluids, help with breathing and nursing care.

## What Should I Do if I Think I Have WNV?

Mild WNV illness improves on its own, and people do not necessarily need to seek medical attention for this infection. If you develop symptoms of severe WNV illness, such as unusually severe headaches or confusion, seek medical attention immediately. Severe WNV illness usually requires hospitalization.

## What Can I Do to Prevent WNV?

The easiest and best way to avoid WNV is to prevent mosquito bites.

- When you are outdoors, use insect repellents containing DEET (N, N-diethyl-meta-toluamide). Follow the directions on the package.
- Many mosquitoes are most active at dusk and dawn. Consider staying indoors during these times or use insect repellent and wear long sleeves and pants. Light-colored clothing can help you see mosquitoes that land on you.
- Make sure you have good screens on your windows and doors to keep mosquitoes out.
- Get rid of mosquito breeding sites by emptying standing water from flower pots, buckets and barrels. Change the water in pet dishes and replace the water in bird baths weekly. Drill drainage holes in tire swings so water drains out. Keep children's wading pools empty and on their sides when they aren't being used.

# AVIAN INFLUENZA FACT SHEET

Additional information available at [www.dfg.ca.gov/wildlife/avianflu](http://www.dfg.ca.gov/wildlife/avianflu)

## What is avian influenza (AI)?

- A virus affecting primarily bird species, both domestic and wild
- There are many types of avian influenza, and some of them can infect other mammals, including humans
- AI strains are classified as either low pathogenic (less contagious) or high pathogenic (highly contagious)
- The strain that is of current concern is highly pathogenic H5N1 avian influenza or HPAI H5N1

## What is HPAI H5N1 and how is it different?

- A strain of low pathogenic AI that changed to a highly contagious and often fatal influenza
- First appeared in Asia around 1997, affecting mostly domestic poultry
- Since then, changes in the virus strain have made it transmittable to other birds, including wild birds, and HPAI H5N1 has now affected some 60 bird species to varying degrees
- Humans have been infected with HPAI H5N1 through direct contact with diseased birds, and some cases of human infection have been fatal

## Is HPAI H5N1 in California?

- This strain of AI has not been detected in California or even North America
- The potential for it to reach California is very real
- It can enter California through:
  - importation of infected poultry or captive birds
  - importation or movement of contaminated bird products
  - travel of an infected person into the state
  - migration of infected wild birds along the Pacific Flyway

## What wild bird species are most at risk of contracting HPAI H5N1?

- ducks, geese and swans (Anseriformes)
- gulls, terns and shorebirds (Charadriiformes)
- perching birds (Passeriformes)

## What is a wild “bird die-off” and does it mean HPAI H5N1 has reached California?

- A wild bird die-off is five or more dead birds found either in a group or over a short period of time (2-3 days)
- A wild bird die-off alone does not indicate the presence of HPAI H5N1

Wild bird die-offs occur annually in California from any number of avian diseases: avian botulism, avian cholera, mycoplasmosis, salmonellosis, trichomoniasis, exotic Newcastle disease, West Nile virus, and domoic acid poisoning

- DFG collects samples of the dead birds to determine the cause of death and sends this information to both state and national labs

## Who do I call if I find a dead bird?

- Domestically reared birds – CA Dept of Food and Agriculture at **800-491-1899**
- Single sick or dead birds – Dead Bird Hotline at **877-968-2473**
- 5 or more dead birds observed over short period of time (at once or over 2-3 days) – Department of Fish and Game at their **local office**

## What else is DFG doing about HPAI H5N1?

- Working with the Governor’s Office and collaborating with other state and federal departments and agencies responsible for human health, agricultural and wildlife matters
- Testing and monitoring for this strain of avian influenza in wild birds along with the other avian diseases it routinely tests for in wild birds
- Finalizing an action plan in the event HPAI H5N1 is detected in wild birds in our state to effectively respond to the occurrence of this disease

**For more information about avian influenza, go to [www.dfg.ca.gov/wildlife/avianflu](http://www.dfg.ca.gov/wildlife/avianflu)**